

REGULAR CITY COUNCIL MEETING
APRIL 8, 2002

PRESENT

Gayle Bunker
Wesley Bloomfield
Bruce Curtis
Robert Droubay
Margaret Dutson
Glen Swalberg

Mayor
Council Member
Council Member
Council Member
Council Member
Council Member

ABSENT

None

ALSO PRESENT

Richard Waddingham
Neil Forster
Gregory Jay Schafer
Judy Baker
Alan Riding
Ken Clark
Mike Smith
Leonard Hardy
Dent Kirkland
Zhong-de Jiang
Becky Searle
Bryant Anderson
Dale Bond
Steve Lester
Ron Westlund
Jeffery Stork

City Attorney
Public Works Director
City Recorder
City Treasurer
Asst. Public Works Director
Public Works Employee
Public Works Employee
Public Works Employee
Public Works Employee
China Inn
China Inn
West Millard Mosquito Abatement Dist.
City Resident
City Resident
Airport Hangar Lessee
Commercial Business Radio

Mayor Bunker called the meeting to order at 7:00 p.m. He stated that notice of the meeting time, place and agenda had been posted at the City Building and had been provided to the Millard County Chronicle/Progress, to KNAK Radio, and to each member of the City Council, at least two days prior to the meeting.

Council Member Bruce Curtis offered an invocation, after which Mayor Bunker led those in attendance in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Regular City Council Meeting held February 25, 2002 were presented for consideration and approval. Following review, Council Member Robert Droubay MOVED to approve the minutes of the Regular City Council Meeting held February 25, 2002, as presented. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Regular City Council Meeting held March 11, 2002 were presented for consideration and approval. Following review, Council Member Glen Swalberg MOVED to approve the minutes of the Regular City Council Meeting held March 11, 2002, as presented. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a copy of which had been given to them two days prior to the meeting. Following review and discussion of items listed, Council Member Glen Swalberg MOVED to approve the accounts payable, in the amount of \$112,690.39. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

UNFINISHED BUSINESS

There were no items of Unfinished Business on the agenda.

NEW BUSINESSMAYOR GAYLE BUNKER: PROPOSED ONE LOT SUBDIVISION LOCATED AT APPROXIMATELY 175 EAST 300 SOUTH

Mayor Bunker stated that a public hearing regarding this proposed one lot subdivision had been held, just prior to this meeting, with no negative comment being received. He advised the Council that the Planning & Zoning Commission had met regarding this proposed one lot subdivision and recommended that the City Council hold a public hearing for the purpose of receiving public comment regarding the proposed one lot subdivision located at approximately 175 East 300 South. The Planning & Zoning Commission further recommended that the one lot subdivision be approved, with the condition that an off site improvement agreement be signed for owner participation in any future curb, gutter and sidewalk improvements in that area. Council Member Robert Droubay

RCCM 04-08-02

Page 3

MOVED to approve the proposed one lot subdivision located at approximately 175 East 300 South, as requested by Ray Cook, with the condition that an off site improvement agreement be signed for owner participation in any future curb, gutter and sidewalk improvements in the area. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

BRYANT ANDERSON. WEST MILLARD MOSQUITO ABATEMENT DISTRICT: PROPOSED RENTAL OF AIRPORT BUILDING BY MOSQUITO ABATEMENT DISTRICT

Mr. Bryant Anderson requested that the West Millard Mosquito Abatement District be allowed to install radio antennas on a building located at the airport. The Mosquito Abatement District has a difficult time transmitting between the areas they serve and need a repeater station to enable adequate communication. Several sites have been considered but the airport would be the best site due to the elevation and the proximity to the area which would maximize service. In addition, the building is already set up as a communications site. Mr. Anderson would like to share the expense of the building by installing a multi-use repeater station which could also be used by his business, Commercial Business Radio, in providing local dial access paging service in the area.

The building which Mr. Anderson would like to use was formerly used to house equipment owned by In-Flight Phone Corporation. In-Flight Phone Corporation declared bankruptcy several years ago and the building has been vacant since that time. City Attorney Richard Waddingham sent a letter to In-Flight Phone Corporation approximately two years ago notifying them that if they did not respond within two weeks the building would be deemed abandoned. To this date, City Attorney Waddingham has not heard from In-Flight Phone Corporation.

Council Members questioned what amount of rent should be charged for use of the building. Council Member Wesley Bloomfield MOVED to postpone discussion of this item until the next meeting and request that the Public Works Department make a recommendation as to the amount of rent which should be charged for use of the building. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

AMERICAN RED CROSS: PRESENTATION ON AVAILABLE PROGRAMS

There was not a representative of the Red Cross in attendance.

ZHONG-DE JIANG / BECKY SEARLE: REQUEST FOR APPROVAL OF BEER LICENSE FOR CHINA INN RESTAURANT

Becky Searle introduced Zhong-de Jiang, owner of the China Inn Restaurant, and stated that they would like to obtain a beer license for the restaurant. Mr. Jiang told the Council that he had asked

Ms. Searle to present this request to the Council because he does not speak English well. Mr. Jiang stated that he had previously had a beer license at a restaurant he owned in Vernal. Since opening the China Inn, many patrons had requested that he serve beer, so he is attempting to obtain a beer license for the restaurant. Council Member Wesley Bloomfield MOVED to approve a Class "C" beer license for the China Inn Restaurant, located at 540 East Topaz Blvd., with the condition that all state beer licensing requirements are met. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

PUBLIC WORKS DIRECTOR NEIL FORSTER: REQUEST FOR PURCHASE OF DUMP TRUCK / COMPACTORS

Public Works Director Neil Forster stated that he is requesting approval to purchase three separate pieces of equipment and explained that he would discuss those items separately. The price quotes have been obtained from current firms which hold the Utah State Contract for the various pieces of equipment.

The first item is a summary quotation from Sterling Truck, formerly Ford Truck, for a 2002 ten-wheel dump truck at a price of \$62,398. After purchase, a 2-way radio, beacon, safety kit, and paint to match Delta City equipment would need to be added. In addition, Tesco Williamson has provided a quote for a dump bed for the truck at a price of \$18,948, making a total price of \$81,346 for the truck and dump bed. The current budget provided \$112,000 for the truck, to be paid from Class "C" Road Funds, in which there are now adequate funds to make the purchase. This truck will be in addition to the existing fleet, however, the oldest truck in the fleet was purchased in 1985 and is getting quite run down but will continue to be used as long as possible.

The next item being requested is a double drum vibrating compactor for trench work. Delta City has rented this equipment in the past either from a local contractor or from rental companies in Provo and Salt Lake. Any time a trench is excavated, a compactor is needed for filling in order to prevent settling. The price quote is \$29,250 from ICM Equipment. The compactor does have a remote cable which allows using the machine in a trench while the operator stays outside the trench; a great safety factor.

The final item is a vibra plate, at a price of \$1,695, to replace one which Delta City had in the past but it became inoperable last year.

The total amount of all items being requested is \$112,291, all of which are to be purchased from Class "C" road funds. Council Member Wesley Bloomfield MOVED to approve purchase of the equipment requested by the Public Works Department, a 2002 dump truck and bed, vibrating compactor, and vibra plate, at a total cost of \$112,291. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

RCCM 04-08-02

Page 5

PUBLIC WORKS DIRECTOR NEIL FORSTER: SET WATER RENTAL RATE AND DITCH TAX RATE FOR 2002 IRRIGATION SEASON

Public Works Director Neil Forster advised the Council that the water rental rate last year was \$30 per acre foot of water and \$30 for ditch tax. Public Works Director Forster recommended that the ditch tax remain at \$30 but suggested that the water rental rate could remain at \$30 per acre foot, or be increased to \$35 per acre foot if the council felt that would be more in line with current water rental rates. Council Member Wesley Bloomfield MOVED to assign City Attorney Richard Waddingham to prepare a Resolution, for approval at the next meeting, setting the water rental rate at \$35 per acre foot and the ditch tax rate at \$30 for the 2002 irrigating season. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

PUBLIC WORKS DIRECTOR NEIL FORSTER: SET DATES FOR SPRING CLEAN UP

Public Works Director Neil Forster stated that the Public Works employees would like to schedule the spring clean up dates as April 27th for the North side of Main Street and May 4th for the South side of Main Street. Council Member Wesley Bloomfield MOVED to set the Delta City Spring Clean Up dates as April 27th for the North side of Main Street and May 4th for the South side of Main Street. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

PUBLIC WORKS DIRECTOR NEIL FORSTER: REQUEST FOR APPROVAL TO DISPOSE OF OUTDATED / UNUSABLE COMPUTER EQUIPMENT

Public Works Director Neil Forster requested approval to dispose of computer equipment which is no longer working and has been replaced. Council Member Wesley Bloomfield MOVED to approve the destruction and disposal of computer equipment which is no longer useable. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

CITY RECORDER GREGORY JAY SCHAFER: WIRELESS INTERNET / NETWORK UPGRADE

City Recorder Gregory Jay Schafer reported that he had talked with Bryant Curtis, of Radio Shack, after the last Council Meeting to obtain information regarding the wireless internet service provided by Radio Shack. It was determined that the service provided by Radio Shack would not accommodate the web hosting and networking. City Recorder Schafer requested approval of the

RCCM 04-08-02

Page 6

Council to proceed with obtaining wireless internet service and network upgrade as proposed by Delta Wave.

Council Member Robert Droubay MOVED to approve the wireless Internet service and network upgrade for the Delta City office as proposed by Delta Wave. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR GAYLE BUNKER: FENCING FOR STEAM TRACTOR TO BE LOCATED IN NEW CITY PARK PAVILION

Public Works Director Neil Forster reported that two of the Public Works Department employees, Ken Clark and Mike Smith, were planning to construct ornamental fencing to surround the steam tractor which will be housed in the new City Park pavilion. However, Mayor Bunker saw a pre-made fencing which he felt would be suitable to protect the steam tractor and asked Public Works Director Forster to contact the manufacturer. Public Works Director Forster found that, while materials for construction of a fence by Mr. Clark and Mr. Smith would cost \$2,800, not including the price of finishing and painting, the pre-made fence could be purchased for approximately \$4,800.

Council Member Glen Swalberg MOVED to approve expenditure of \$4,800 for purchase of decorative fencing to surround the steam tractor to be installed in the new City Park pavilion. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR GAYLE BUNKER: SET PRICE FOR AVIATION FUEL

Public Works Director Neil Forster reported that he had asked Asst. Public Works Director Alan Riding to contact other airports in the area to check their fuel prices. It was found that Nephi is selling their fuel for \$2.18, Fillmore is selling for \$2.40 (cash) and \$2.45 (credit card), Milford is selling for \$2.65.9 (with 10 cent discount for cash and 20 cent discount for those who rent hangar space), Richfield is selling for \$2.16, Cedar City is selling for \$2.49 and Provo is selling for \$2.50. Delta City is currently selling for \$2.50. It has been determined that it costs Delta City approximately 15 cents per gallon to process the credit cards used for fuel purchases. In addition, the City has expended funds for equipment to set up the fuel delivery system, which should be considered when determining the price of the fuel.

Public Works Director Forster reported that the cost of the fuel currently being sold at the airport was \$1.79 and suggested that a profit margin be set. If a profit margin is set, the price can be determined by adding the profit margin to the price of the fuel when it is delivered.

Steve Lester, local pilot who uses the airport, reported that he had talked with the Richfield airport

RCCM 04-08-02

Page 7

who told him that they use a 40 cent profit margin on their fuel. Mr. Lester felt that the fuel price should be as inexpensive as possible in order to attract more business to the Delta airport. He also suggested that the price of the fuel be posted at the pump so that pilots know what price they are paying for the fuel.

Council Member Bloomfield noted that, with paying \$1.79 for the fuel and 15 cents for processing the credit cards, the cost of the fuel is \$1.95; if the profit margin is set at 45 cents, the price of the fuel being sold at present would be \$2.40, which would match the Fillmore price. Mr. Lester recommended that Delta City use the same profit margin as Richfield, 40 cents per gallon. Mr. Lester also noted that the price of fuel at the other airports was for full service, not self-service as is the case at the Delta airport.

Following discussion, Council Member Wesley Bloomfield MOVED to set the fuel price at Delta Municipal Airport at 45 cents above the cost of purchasing the fuel and the 15 cent credit card processing cost which, at the current rate would make the selling price \$2.40 per gallon. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed with Council Members Bloomfield, Curtis, Droubay and Swalberg voting in favor and Council Member Dutson voting against.

COUNCIL MEMBER MARGARET DUTSON SELECTION OF THEME FOR FOURTH OF JULY CELEBRATION

Council Member Dutson presented a list of proposed themes for the Fourth of July celebration and asked Council Members for their input as to which theme should be used.

Council Members discussed the proposed themes and reduced the choices to "United We Stand," "Proud to be an American," "One Nation" and "Stand Proud America" and requested that the individuals responsible for the celebration choose the theme from the four options.

Council Member Margaret Dutson MOVED to have Suzanne Clark and Karen Johnson choose the theme for the Fourth of July celebration from the four choices named above. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

OTHER BUSINESS

Council Member Margaret Dutson asked if any information had been received from the emergency preparedness conference held on March 22-23, 2002. Mayor Bunker reported that Ken Clark had attended the conference and would make a report to the Council at the next meeting.

Council Member Margaret Dutson asked when a decision would be made regarding sale of the Olympic flags which were displayed on Main Street during the Salt Lake Olympic Games. Mayor Bunker advised that a decision would be made on the flags at the next meeting.

Council Member Glen Swalberg reported that the Great Basin Heritage Highway Partnership is holding a Utah and Nevada training session and celebration on May 3, 4, & 5, 2002 in Ely, Nevada. All cities are invited to participate in the training and celebration. Council Member Swalberg requested that, in lieu of attending the Utah League of Cities and Towns Mid-Year Conference in St. George, he be allowed to officially represent Delta City at the training session in Ely. Council Member Wesley Bloomfield MOVED to assign Council Member Glen Swalberg to represent Delta City at the Great Basin Heritage Highway Partnership training session and celebration to be held in Ely, Nevada on May 3, 4, & 5, 2002. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Council Member Bruce Curtis asked for input from the Council regarding the Millard County Fire Service District Interlocal Agreement to determine whether any changes need to be made in the agreement. Mayor Bunker noted that he had reviewed the agreement and found no necessary changes.

Mayor Bunker asked City Attorney Richard Waddingham to review a letter received from AT&T regarding cable television service.

MAYOR GAYLE BUNKER: INTERVIEW OF PUBLIC WORKS EMPLOYEES FOR POSSIBLE
ADVANCE TO POSITION OF PUBLIC WORKS DIRECTOR

Mayor Bunker suggested that the Council adjourn to Executive Session for discussion of this item. Council Member Wesley Bloomfield MOVED to adjourn to Executive Session for the purpose of discussing the character, professional competence or physical or mental health of an individual or individuals. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The voting was as follows:

RCCM 04-08-02

Page 9

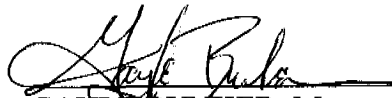
Council Member Bloomfield	Yes
Council Member Curtis	Yes
Council Member Droubay	Yes
Council Member Dutson	Yes
Council Member Swalberg	Yes

The motion passed unanimously.

Following completion of the Executive Session, Council Member Margaret Dutson MOVED to adjourn to Regular City Council Meeting. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Bunker asked if there were any comments, questions, or other items to be discussed. There being none, Council Member Wesley Bloomfield MOVED to adjourn the meeting. The motion was SECONDED by Council Member Margaret Dutson. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Bunker declared the meeting adjourned at 10:25 p.m.



GAYLE BUNKER, Mayor



GREGORY JAY SCHAFFER, CMC, City Recorder

MINUTES APPROVED: RCCM 04-22-02



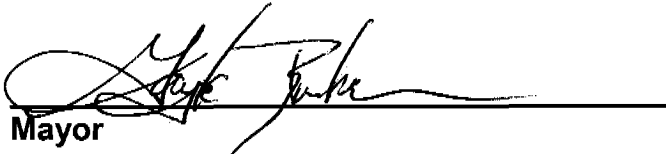
EXECUTIVE SESSION
Sworn Statement
(Required by 52-4-7.5, UCA 1953)

I, Gayle Bunker, swear, as the person presiding at this executive session, that the sole purpose for closing the session was to discuss the following:

- ☒ The character, professional competence, or physical or mental health of an individual; or
- ☐ The deployment of security personnel, devices or systems.

Sworn to and executed this 8th day of April, 2002.

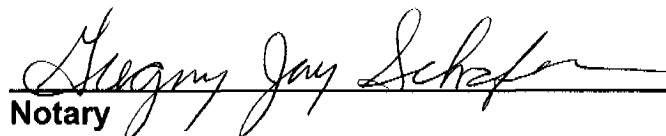
CITY OF DELTA, by


Mayor

STATE OF UTAH)
COUNTY OF MILLARD }
CITY OF DELTA) §

Subscribed and Sworn to this 8th day of April, 2002, by Gayle Bunker.




Notary

My Commission Expires: MARCH 23, 2003

Residing at: 262 S 300W, DELTA, UT 84624

